



1 fu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Crawford
Serial No. : 09/597,784
Filed : June 19, 2000
Title : DIRECT FILE TRANSFER BETWEEN SUBSCRIBERS OF A
COMMUNICATIONS SYSTEM

Art Unit : 2141
Examiner : Kristie D Shingles

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ADVISORY ACTION OF AUGUST 8, 2005

Claims 1-40 and 45-64 are pending in this application with claims 1, 14, 29, 30, 31, 36 and 45 being independent.

Applicants submit the following remarks in the interest of advancing prosecution and clarifying issues for appeal.

In the reply to the Office Action of May 3, 2005, applicants asserted that neither Hutton, Haumont, nor any proper combination of the two describes or suggests the operation of sending, through the communications system host, a request to establish a direct connection with the second client and establishing a direct connection that bypasses the communications system host *if a user of the second client accepts the request*. In the Advisory Action of August 8, 2005, the Examiner stated:

Applicant argues, in substance, that cited prior art reference Hutton et al (USPN 6,513,066) does not teach a user of a second client device accepting a request for establishing a direct connection to the first client device. Examiner respectfully disagrees, Hutton et al indicates in Figure 2 the establishment of direct communication between the first and second client. Furthermore, in col. 7, lines 2-22 and col. 7, line 66- col. 8, line 45, Hutton et al discloses point-to-point communication between the first and second users bypassing the mail server. Therefore, Applicants arguments is non-persuasive.

Page 2 of Advisory Action of August 8, 2005. Applicants respectfully submit that the Examiner's response to applicant's argument is not responsive in that it does not address the recited limitation that *user* acceptance of a direct connection request is necessary for establishment of the direct connection between a first and a second client.

The Examiner asserts that Hutton discloses in Figure 2 the establishment of direct communication between the first and second clients. Applicants do not refute this. Applicants

are simply stating that Hutton neither describes nor suggests that the establishment of this direct connection is conditioned on *user* acceptance of a direct connection request. The Examiner has not addressed this limitation, nor has the Examiner pointed to specific portions of Hutton that describe or suggest this limitation. On the contrary, the portions of Hutton cited by the Examiner suggest the opposite - that the user of the second processing unit 22 is either entirely oblivious as to the establishment of the direct point-to-point connection between the first processing unit 12 and the second processing unit 22 or is simply an observer informed that the connection is occurring without having the capability to accept or reject the establishment of the connection:

The processing units 12, 22 may perform the disclosed point-to-point Internet protocol automatically upon initiation of the point-to-point communication command by the first user without displaying the E-mail interactions to either user. Accordingly, the disclosed point-to-point Internet protocol may be *transparent to the users*. Alternatively, either of the first and second users may receive, for example, a brief message of "CONNECTION IN PROGRESS" or the like on a display of the respective output device of the processing units 12, 22.

(emphasis added). Col. 8, lines 34-45.

Hutton describes that user intervention only occurs after a <Call> signal is sent from the first processing unit 12 to the second processing unit 22 over the *already established direct point-to-point connection*. Col. 8, lines 46 to col. 9, line 6. Hutton neither describes nor suggests that the user of the second processing unit 22 plays any role in allowing or preventing the initial establishment of the direct point-to-point connection through which the <Call> signal is delivered.

Applicants submit that all claims are in condition for allowance.

Applicant : James Crawford
Serial No. : 09/597,784
Filed : June 19, 2000
Page : 3 of 3

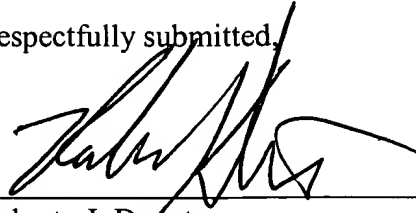
Attorney's Docket No.: 06975-
097001 / Communications 21

Applicants do not believe any fees are due. Nevertheless, please apply any charges or credits to deposit account 06-1050.

Date: _____

9/6/05

Respectfully submitted,



Roberto J. Devoto
Reg. No. 55,108

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331